IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 7824 of 1997

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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YUSUFBHAI ALLARAKHA BELIM - Petitioner(s)
Versus
G S R T CORPORATION & 1 - Respondent(s)

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Appearance :

MR MUKESH H RATHOD for Petitioner(s) : 1,MR URVISH G PATEL for Petitioner(s) : 1,
MR HS MUNSHAW for Respondent(s) : 1,
NOTICE SERVED for Respondent(s) : 2,

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 11/04/2007

ORAL JUDGMENT

In this petition under Article 226 of the Constitution of India, the petitioner has prayed

for an appropriate order, writ or direction directing the respondent Corporation to appoint the petitioner on the post of Clerk as per the Circular dated 29.10.1994 from the date of joining and grant all consequential benefits to the petitioner.

2. Shri HS Munshaw, learned advocate appearing on behalf of the respondent Corporation that the petitioner was appointed as a Daily Wager on 4.11.1986 and was made Helper on 9.9.1987. It is further submitted by him that the petitioner was thereafter appointed as Clerk with effect from 17th March 2000 and subsequently the petitioner has been given the benefit of the judgment and order passed by this Court dated 12th March 1992 in Special Civil Application No. 5040 of 1991 by giving deemed date of appointment as Clerk with effect from 9.9.1987. In view of the fact that when the petitioner has already been given the benefit of judgment and order passed by this Court rendered in Special Civil

Application No. 5040 of 1991 and is already given the deemed date of appointment as Clerk, no further order is required to be passed as no cause survives. Accordingly, this petition is disposed of as having become infructuous. Rule is discharged. No costs.

[M.R. Shah, J.]

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